

**JOE WARDY**  
MAYOR



**CITY COUNCIL**

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING, JR.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN F. COOK**  
DISTRICT NO. 4

**DANIEL S. POWER**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY W. COBOS**  
DISTRICT NO. 8

**MINUTES OF THE  
SPECIAL CITY COUNCIL MEETING  
NORTH EAST EL PASO COMMUNITY COLLEGE  
LECTURE FORUM  
COUNCIL CHAMBERS  
OCTOBER 16, 2003  
6:00 P.M**

The City Council met at the above place and date at approximately 6:25 p.m. Deputy Mayor Pro tem Paul Escobar present and presiding and the following Council Members answered roll call: Susan Austin, Jose Alexandro Lozano, John F. Cook, and Vivian Rojas.

Absent: Mayor Joe Wardy, Representative Robert A. Cushing Jr., Representative Daniel S. Power, and Representative Anthony W. Cobos.

**AGENDA**

1. Proposed Amendments to the El Paso City Charter.
2. The City Council will retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the Council may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

Three hand-outs (on file in City Clerk's Office) were passed out to members of the audience:

1. Outline of Charter Election Proposals
2. City Manager, El Paso at the Crossroads
3. The City Manager Form of Government: Answers to your Questions

Pat Abeln, Director of Aviation, presented Mayor Joe Wardy's PowerPoint presentation on the proposed amendments to the City Charter (on file in the City Clerk's Office).

Elaine Hengen, Assistant City Attorney commented briefly.

Representative Susan Austin commented on the ten-year term limit proposed for Mayor and Council.

Deputy Mayor Pro Tem Paul Escobar invited comments from the audience. The following individuals addressed the Council:

**Frank Delgado, President of the City Employees Association**, commented on and questioned Council about:

- The qualifications for the City Manager position and the succession of Chief Administrative Officers the City of El Paso has had: Dr. Kenneth Beasley, Monica Cunningham, Charlie McNabb, James Martinez.
- The role of the Deputy CAO positions as an additional layer of middle management and an additional expense to the City of El Paso.
- The proposed pay increases for Mayor and Council and the link between that pay and the designation of the median household income in El Paso. He questioned the accuracy of the figure used.
- The proposed unclassified positions and his concern about political appointments into those positions.

**Carl Robinson, citizen**, commented on and questioned Council about:

- Term limits for Mayor and Council. Deputy Mayor Pro Tem Escobar explained.
- City Manager position as another layer of bureaucracy. Deputy Mayor Pro Tem Escobar, Representative Escobar, Representative Austin and Director of Aviation Pat Abeln explained, addressing the way the City Manager would interact with City Council and how he/she would address the concerns Council and the citizens have with City services and staff.

**Richard Schecter, citizen**, commented on and asked question of Council about:

- The sketchy format of the proposed Charter amendments. Pat Abeln and Elaine Hengen explained that the final language will be ready in November.
- The inconsistency between some of the changes and the City Manager form of government, such as the signing of checks by the Mayor as opposed to the City Manager and the increased salaries for elected officials whose duties would be presumably taken on by the City Manager;
- The accuracy of the figure used as the median household income in El Paso;
- The selection process that would be used for the City Manager, requesting Council provide more specificity to the voters;
- The need for a contract for the City Manager. Representatives Austin, Escobar and Cook explained that a contract will be a component of the appointment;
- The salary range for the City manager, citing that the public needs to be informed;
- The selection of certain positions to be unclassified positions. Elaine Hengen and Pat Abeln explained.
- The need for a definition of incentive pay for the voters in the proposal addressing that term.

**Stan Roberts, citizen and former City Representative from District 4**, commented on:

- The City Manager form of government, his/her contract and a "buy-out" clause in the contract, and the qualifications of the City Manager as opposed to that of a Chief Administrative Officer.
- The ability of Council members to talk to Department Heads under the current and proposed form of government;
- The accountability of a City Manager versus the accountability of the Chief Administrative Officer;
- The proposed term of office increase, citing 2 years is sufficient;
- The proposed term limit of 10 years, citing 8 years is sufficient;
- His experience on a prior Charter commission regarding proposed pay increases for Mayor and Council;
- The current ability of Council to raise the salary for subsequent administrations by 5% each term;
- His support for the preservation of Civil Service protection for Civil Service positions.

**Norma Ledesma, City employee**, commented on:

- Her experience in being replaced as a Civil Service position secretary in the Mayor's Office by a contract employee brought in at higher pay;
- Her belief that the City Manager form of government should be an issue decided upon by the voters.

**Walt Phillips, citizen**, commented on and asked questions of Council about:

- His support for the increased salaries for Mayor and Council;
- His opposition to the City Manager form of government;
- The City Manager's latitude and frequency in exercising the authority for appointment and dismissal of department heads;
- His support of the proposal addressing unclassified positions;
- The need for the proposal addressing newspaper publication of legal notices. Deputy Mayor Pro Tem Escobar and Pat Abeln explained.
- His agreement with the elimination on the Committee on Border relations, noting that a number of other entities perform that function;
- His support of the proposal changing the Personnel Department's name to Human Resources Department;

**William Lujan, City employee**, commented on and asked questions of Council about:

- His support of the 4 year term of office for Mayor and Council;
- His indecision regarding the City Manager form of government;
- The need for an explanation as to the proposal addressing incentive pay. Representative Austin, Pat Abeln and Elaine Hengen commented on existing forms of incentive pay, such as shift differentials, and on the role the Civil Service Commission would play in establishing criteria for additional categories of incentive pay.
- His support for local preference in the awarding of the City's deposits and disbursements and other contracts. Representative Cook explained that State law affects the awarding of contracts.

**James Kleutz, citizen**, commented on and asked questions of Council about:

- The absence of an amendment addressing the Police and Fire pension problem. Representatives Escobar and Cook explained how this issue may be handled by other means than a Charter amendment.
- How the proposals will be presented to the voters on the ballot, questioning if they would be presented as one big group to vote aye or nay on or as categories or as individual amendments. Representatives Escobar and Austin explained that there is no intention to present them as one big group.

**Anna Mattersdorf, citizen**, questioned each Council member about how they believe the City Manager would enhance the performance of their responsibilities:

- ❖ Representative Austin explained that the City Manager would provide expertise in city management that she could draw upon as a resource; she would be afforded increased peace of mind in knowing someone was minding the store; the position would provide continuity in the execution of projects from one administration to the next.
- ❖ Representative Lozano explained that he believes the City Manager would help, primarily, the Mayor. He would like to see the City Manager help Council in finding more creative funding sources.
- ❖ Representative Cook explained that the benefit would be that the politics would be taken out of the execution of policy. The Mayor would become a member of the legislative branch with the Council and the professionals would be allowed to run the City once Council has set the goals and objectives for them.
- ❖ Representative Escobar explained that currently the Mayor is performing both policy and administrative duties. With the change, it would be easier to go to the City Manager on administrative issues and easier to get a hold of the Mayor on policy issues. His only

concern is the golden parachute that may be written into the City Manager's contract and the substantial cost that could represent to the taxpayers.

- ❖ Representative Rojas explained that the continuity and consistency provided by a City Manager would benefit the Council. She cited that both excellent performance by the City Manager and continuity in the position will be required to make the City Manager form of government work.

Deputy Mayor Pro tem Escobar thanked the audience for attending and the speakers for participating.

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Motion made by Representative Cook, seconded by Deputy Mayor Pro Tem Escobar and unanimously carried to adjourn this meeting at 8:03 p.m.

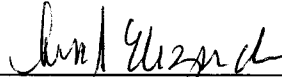
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APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Richarda Duffy Momsen, City Clerk



Lisa A. Elizondo, City Attorney